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PATENT APPLICATION

ATTORNEY DOCKET NO. ___20029048-1___

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Terry M. MARTIN et al.

Confirmation No.: 2184

Application No.: 10/724,728

Examiner: Nguyen, Phillip H.

Filing Date: 12/2/2003

Group Art Unit: 2191

Title: METHOD, SYSTEM, AND SOFTWARE FOR MAPPING AND DISPLAYING PROCESS OBJECTS AT DIFFERENT LEVELS OF ABSTRACTION

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on September 14, 2007, and the Notice of Non-Compliant Appeal Brief dtd Nov. 16, 2007.
The fee for filing this Appeal Brief is (37 CFR 1.17(c)) $500.00. (previously paid)

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month $120

☐ 2nd Month $450

☐ 3rd Month $1020

☐ 4th Month $1590

☐ The extension fee has already been filed in this application.

☒(b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of _____. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

Terry M. MARTIN et al.

By_____

for /

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Rev 10/05 (AplBrief)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Terry M. MARTIN et al.

Title: METHOD, SYSTEM, AND SOFTWARE FOR MAPPING AND
                    DISPLAYING PROCESS OBJECTS AT DIFFERENT LEVELS
                    OF ABSTRACTION

Appl. No.:   10/724,728

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RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF, AND

REVISED APPEAL BRIEF

Mail Stop APPEAL BRIEF - PATENTS
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Non-Compliant Appeal Brief dated November 16, 2007, the following is the Appellant's Revised Appellant's Appeal Brief under the provisions of 37 C.F.R. 41.37. An Appeal Brief fee has been previously submitted to the PTO (on September 20, 2007).

1.   **Real Party in Interest**

The real party in interest is Hewlett-Packard Development Company, L.P., which is the assignee of record.

2.   **Related Appeals and Interferences**

There are no related appeals or interferences that will directly affect, be directly affected by or have a bearing on the present appeal, that are known to appellant, the assignee,

or the appellant's patent representative. The Related Proceedings Appendix (Section 10), attached hereto, states "None".

3.   Status of Claims

The present appeal is directed to claims 1-11, 13-22 and 24. A copy of the presently pending claims under rejection are attached herein in the Claims Appendix (Section 8). Claims 1-11, 13-22 and 24 were finally rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,151,438 to Hall et al. Claims 13-24 were also rejected under 35 U.S.C. § 101, whereby the amendments made by way of the "now entered" after-final response filed on July 24, 2007 are believed to have overcome the 35 U.S.C. § 101 rejection.

4.   Status of Amendments

No amendments are being filed concurrently with this Appeal Brief. Based on a telephone call between Appellant's representative and Examiner Nguyen on September 6, 2007, whereby Appellant's representative indicated that the Advisory Action dated July 24, 2007 did not indicate whether the after-final response filed on July 10, 2007 would be entered for purposes of appeal, Examiner Nguyen stated that the after-final response filed on July 10, 2007 would be entered for purposes of appeal. The Claims Appendix to this Appeal Brief reflects the claims based on entry of the after-final response.

5.   Summary of the Claimed Subject Matter

The present invention is directed to a method and storage device for mapping and displaying process objects at different levels of abstraction. As explained on page 1 of the specification, when developing or customizing a software system that provides business functionality for users, one problem exists with respect to providing coordination between business analysts and software system analysts. By providing a mapping of business level objects and application level objects with links to show such mappings, this problem is overcome by way of the present invention.

Independent claim 1 recites:

A method of mapping and displaying process objects at different levels of abstraction, comprising:

correlating business level objects to application level objects;

associating and storing source data with indications for both the business level objects and the application level objects; and

displaying the stored data associated with both the business level objects and the application level objects,

wherein the business level objects and the application level objects are respectively stored and displayed on a display as a plurality of nodes at different levels of abstraction, with correlations between the application level objects and the business level objects being accomplished by linking one or more nodes of the application level objects to one or more nodes of the business level objects at different levels of abstraction, and

wherein the source data is linked to one or more of the plurality of nodes,

wherein the step of displaying the stored data associated with both business level objects and the application level objects comprises automatically generating alerts or reports based on predetermined criteria, and wherein the step of displaying the stored data associated with both business level objects and the application level objects comprises:

displaying, on a first display screen, one or more of the business level objects as connected links; and

displaying, as connected links on a second display screen when one of the connected links on the first display screen is selected by a user, one or more of the application level objects that are correlated with the one or more of the business level objects.

Support for the "correlating" step may be found in Figures 1-3 and in paragraphs 0031 and 0033 of the specification.

Support for the "associating and storing" step may be found in Figures 5 and 8 and in paragraphs 0034 and 0040 of the specification.

Support for the "displaying the source data" step may be found in Figures 1-3 and in paragraphs 0035 and 0043 of the specification.

Support for the "wherein the business level objects and the application level objects are respectively stored and displayed on a display as a plurality of nodes at different levels of abstraction . . ." features may be found in Figures 1-3 and in paragraphs 0029 to 0031 of the specification.

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Support for the "wherein the source data is linked to one or more of the plurality of nodes" features may be found in Figure 5 and in paragraphs 0038 and 0040 of the specification.

Support for the "wherein the step of displaying the stored data associated with both business level objects and the application level objects comprises automatically generating alerts or reports based on predetermined criteria" features may be found in paragraphs 0032 and 0033 of the specification.

Support for the "displaying, on a first display screen, one or more of the business level objects as connected links" features may be found in Figures 1-3 and in paragraphs 0029 to 0031 of the specification.

Support for the "displaying, as connected links on a second display screen when one of the connected links on the first display screen is selected by a user, one or more of the application level objects that are correlated with the one or more of the business level objects" may be found in Figures 1-3 and in paragraphs 0029 to 0031 and 0043 of the specification.

Independent claim 13 recites:

A storage device having program code recorded thereon for mapping and displaying process objects at different levels of abstraction, the program code configured to cause a computing system to perform the steps comprising:

correlating business level objects to application level objects;

associating and storing source data with indications for both the business level objects and the application level objects; and

displaying the stored data associated with both the business level objects and the application level objects,

wherein the business level objects and the application level objects are respectively stored and displayed on a display as a plurality of nodes at different levels of abstraction, with correlations between the application level objects and the business level objects being accomplished by linking one or more nodes of the application level objects to one or more nodes of the business level objects at different levels of abstraction, and

wherein the source data is linked to one or more of the plurality of nodes,

wherein the step of displaying the stored data associated with both the business level objects and the application level objects comprises automatically generating alerts or reports based on predetermined criteria, and wherein the step of displaying the stored data associated with both business level objects and the application level objects comprises:

displaying, on a first display screen, one or more of the business level objects as connected links; and

displaying, as connected links on a second display screen when one of the connected links on the first display screen is selected by a user, one or more of the application level objects that are correlated with the one or more of the business level objects.

Support for the "correlating" step may be found in Figures 1-3 and in paragraphs 0031 and 0033 of the specification.

Support for the "associating and storing" step may be found in Figures 5 and 8 and in paragraphs 0034 and 0040 of the specification.

Support for the "displaying the source data" step may be found in Figures 1-3 and in paragraphs 0035 and 0043 of the specification.

Support for the "wherein the business level objects and the application level objects are respectively stored and displayed on a display as a plurality of nodes at different levels of abstraction . . ." features may be found in Figures 1-3 and in paragraphs 0029 to 0031 of the specification.

Support for the "wherein the source data is linked to one or more of the plurality of nodes" features may be found in Figure 5 and in paragraphs 0038 and 0040 of the specification.

Support for the "wherein the step of displaying the stored data associated with both business level objects and the application level objects comprises automatically generating alerts or reports based on predetermined criteria" features may be found in paragraphs 0032 and 0033 of the specification.

Support for the "displaying, on a first display screen, one or more of the business level objects as connected links" features may be found in Figures 1-3 and in paragraphs 0029 to 0031 of the specification.

Support for the "displaying, as connected links on a second display screen when one of the connected links on the first display screen is selected by a user, one or more of the application level objects that are correlated with the one or more of the business level objects" may be found in Figures 1-3 and in paragraphs 0029 to 0031 and 0043 of the specification.

6.   Grounds of Rejection to be Reviewed on Appeal

The grounds of rejection to be reviewed on appeal are: (1) whether the examiner erred in rejecting claims 13-22 and 24 under 35 U.S.C. § 101 as being directed to non-statutory subject matter; and (2) whether the examiner erred in rejecting claims 1-11, 13-22 and 24 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,151,438 to Hall et al..

7.   Argument

I.   It is respectfully submitted that the final rejection of claims 13-22 and 24 under 35 U.S.C. § 101 is erroneous for at least the following reasons.

In the final Office Action, claims 13-24 were rejected under 35 U.S.C. § 101, as directed to non-statutory subject matter, since the specification is "currently not believed to enable the computer readable medium to act as a computer hardware component and realized it functionality absent being claimed in combination with the necessary hardware component to receive and convert the hardwired, wireless, or a combination of hardwired or wireless to computer useable code."

In the now-entered after-final response filed on July 10, 2007, Appellants amended claims 13-22 and 24 (and canceled claim 23) in the manner suggested on page 2 of the final Office Action, whereby claims 13-22 and 24 fully comply with 35 U.S.C. § 101.

II.   It is respectfully submitted that the final rejection of claims 1-11, 13-22 and 24 under 35 U.S.C. § 102(e) is erroneous for at least the following reason.

i.   Independent claims 1 and 13:

Independent claim 1 recites (with emphasis added):

displaying, on a first display screen, **one or more of the business level objects as connected links; and**

<u>displaying, as **connected links on a second display screen when one of the connected links on the first display screen is selected by a user,** one or more of the application level objects that are correlated with the one or more of the business level objects.</u>

See, for example, the description on page 9 of the specification and Figures 1-3 of the drawings.

The final Office Action asserts that Figures 5-16 and the text in the specification further expanding those figures teaches and suggests the above features of claim 1, but Appellants respectfully disagree. In more detail, Hall et al. is directed to a wireless device that provides real-time alerts in response to changes in business operational data. In Hall et al., an operating systems layer 20 that represents an enterprise's operational systems with which the solution operates, is provided as a bottom tier layer. An enterprise application integration (EAI) services layer 30 that provides the connectivity between back-end data systems of the operational systems layer 20 and an analytics engine 42 of a third tier is provided as a middle tier layer. Also, an analytics services layer 40 that corresponds to a multi-dimensional data mart is provided as a third tier layer. See columns 7 and 8 of Hall et al., for example.

Figure 5 of Hall et al. shows a display of a hand-held device 110, whereby icons are provided on that display for selection by a user. In more detail, an industry selection screen 110 is shown in Figure 5, which includes a number of icons including hyperlinks to informational screens relating to the selected industry. Figure 6 shows the display of the hand-held device 110 when the airline icon 112 of Figure 5 has been selected by a user. See column 15, lines 23-33 of Hall et al.

Figure 7 of Hall et al. shows the data statistics for critical business metrics related to selection of the flight operations icon of Figure 6 that was selected by a user, whereby those critical business metrics are displayed on the display. See column 15, lines 49-63 of Hall et al.

None of Figures 5-16 of Hall et al. shows its <u>icons on a display being connected to other icons via links; rather, each icon is separate from the other icons displayed on the display of Hall et al..</u> Thus, Hall et al. does not disclose or suggest the above-referenced

features of claims 1 and 13, in which business level objects are linked to at least one other business level object by way of connections on a first display and in which application level objects are linked to at least one other application level object by way of connections on a second display.

The Advisory Action states that "at least one business level object [displayed] as a connected link" is shown in Figure 5 of Hall et al., whereby the Advisory Action asserts that "FIG. 5 shows a plurality of icons as connected links. When a user selects one icon, it will automatically link to another icon on the next screen." In reply, Figure 5 of Hall et al. merely shows a plurality of icons, whereby when a user selects an icon (e.g., Airline icon), the display will change to a new display associated with the selected icon (e.g., the display of Figure 6 of Hall et al.). There is no disclosure or suggestion in Hall et al. with respect to displaying, on a first display screen, one or more business level objects as connected links. Rather, back-end software in the system of Hall et al. provides for a display of a new display (e.g., the display of Figure 6 of Hall et al.) when an icon on a main display (e.g., an icon in the display of Figure 5 of Hall et al.) is selected, whereby this is clearly much different from what is recited in independent claims 1 and 13.

Also, Hall et al. does not disclose or suggest displaying, as connected links on a second display screen, one or more application level objects that are correlated when the one or more business level objects, whereby the Advisory Action does not address these features.

As such, since no connected links (e.g., a display showing lines connecting icons) are shown or suggested in Hall et al., it cannot anticipate independent claims 1 and 13 (whereby independent claim 13 recites similar features to those discussed above with respect to claim 1).

ii.   Dependent claims 12 and 24:

Still further, with respect to claims 12 and 24 (which respectively depend from claims 1 and 13), those claims recite:

displaying, as connected links on a third display screen when one of the connected links on the second display screen is selected by a user, one or more of a lower level of

application level objects that are correlated with the one or more of the application level objects displayed on the second display screen.

Hall et al. do not disclose or suggest such a third display screen of application level objects that provides a drill down from a second display screen of application level objects, nor does Hall et al. disclose or suggest displaying, as connected links on a third display screen, one or more lower level application level objects that are correlated with one or more application level objects. Note that there are no connected links associated with lower level application level objects in the "Airline" display shown in Figure 6 of Hall et al.

Accordingly, dependent claims 12 and 24 are not anticipated by Hall et al. for these additional reasons.

Conclusion

In view of above, Appellants respectfully solicit the Honorable Board of Patent Appeals and Interferences to reverse the rejections of the pending claims and pass this application on to allowance.

Respectfully submitted,

Date _December 5, 2007_   By _Phillip J. Articola_

                                           William T. Ellis
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8. CLAIMS APPENDIX

LIST OF THE CLAIMS ON APPEAL (WITH STATUS IDENTIFIERS)

1. (Previously Presented) A method of mapping and displaying process objects at different levels of abstraction, comprising:

correlating business level objects to application level objects;

associating and storing source data with indications for both the business level objects and the application level objects; and

displaying the stored data associated with both the business level objects and the application level objects,

wherein the business level objects and the application level objects are respectively stored and displayed on a display as a plurality of nodes at different levels of abstraction, with correlations between the application level objects and the business level objects being accomplished by linking one or more nodes of the application level objects to one or more nodes of the business level objects at different levels of abstraction, and

wherein the source data is linked to one or more of the plurality of nodes,

wherein the step of displaying the stored data associated with both business level objects and the application level objects comprises automatically generating alerts or reports based on predetermined criteria, and wherein the step of displaying the stored data associated with both business level objects and the application level objects comprises:

displaying, on a first display screen, one or more of the business level objects as connected links; and

displaying, as connected links on a second display screen when one of the connected links on the first display screen is selected by a user, one or more of the application level objects that are correlated with the one or more of the business level objects.

2. (Original) The method according to claim 1, wherein the step of correlating business level objects to application level objects comprises correlating objects at two or more levels of abstraction, wherein the business level objects corresponds to one level of abstraction and the application level objects corresponds to another level of abstraction.

3.   (Original)   The method according to claim 2, wherein the application level objects are further correlated to application component level objects at another level of abstraction.

4.   (Original)   The method according to claim 1, wherein the source data comprises application related data and operational data.

5.   (Original)   The method according to claim 4, wherein the application related data comprises data correlated to components of the application level objects.

6.   (Original)   The method according to claim 5, wherein the data correlated to the application level components comprises data collected by an application conversation tracking tool or a custom designed instrumentation for measuring related data.

7.   (Original)   The method according to claim 4, wherein the operational data comprises web session data or server related data.

8.   (Original)   The method according to claim 7, wherein the web session data comprises response times for web based interactions and the server related data comprises server load data.

9.   (Original)   The method according to claim 8, wherein the response times for web based interactions are correlated to application component level objects, application level objects, and business level objects.

10.   (Original)   The method according to claim 1, wherein the step of displaying the stored data associated with both the business level objects and the application level objects comprises filtering and/or aggregating the stored data responsive to a user's query.

11.   (Canceled).

12.   (Previously Presented)   The method according to claim 1, wherein the predetermined criteria comprise one of a number of users accessing an object at any level of abstraction, a response time for web based interaction, or a termination of a user session at a particular point in a web based interaction, the method further comprising:

displaying, as connected links on a third display screen when one of the connected links on the second display screen is selected by a user, one or more of a lower level of application level objects that are correlated with the one or more of the application level objects displayed on the second display screen.

13.   (Previously Presented)   A storage device having program code recorded thereon for mapping and displaying process objects at different levels of abstraction, the program code configured to cause a computing system to perform the steps comprising:

correlating business level objects to application level objects;

associating and storing source data with indications for both the business level objects and the application level objects; and

displaying the stored data associated with both the business level objects and the application level objects,

wherein the business level objects and the application level objects are respectively stored and displayed on a display as a plurality of nodes at different levels of abstraction, with correlations between the application level objects and the business level objects being accomplished by linking one or more nodes of the application level objects to one or more nodes of the business level objects at different levels of abstraction, and

wherein the source data is linked to one or more of the plurality of nodes,

wherein the step of displaying the stored data associated with both the business level objects and the application level objects comprises automatically generating alerts or reports based on predetermined criteria, and wherein the step of displaying the stored data associated with both business level objects and the application level objects comprises:

displaying, on a first display screen, one or more of the business level objects as connected links; and

displaying, as connected links on a second display screen when one of the connected links on the first display screen is selected by a user, one or more of the application level objects that are correlated with the one or more of the business level objects.

14.   (Previously Presented)   The storage device according to claim 13, wherein the step of correlating business level objects to application level objects comprises correlating objects at two or more levels of abstraction, wherein the business level objects corresponds to one level of abstraction and the application level objects corresponds to another level of abstraction.

15.   (Previously Presented)   The storage device according to claim 14, wherein the application level objects are further correlated to application component level objects at another level of abstraction.

16.   (Previously Presented)   The storage device according to claim 13, wherein the source data comprises application related data and operational data.

17.   (Previously Presented)   The storage device according to claim 16, wherein the application related data comprises data correlated to components of the application level objects.

18.   (Previously Presented)   The storage device according to claim 17, wherein the data correlated to the application level components comprises data collected by an application conversation tracking tool or a custom designed instrumentation for measuring related data.

19.   (Previously Presented)   The storage device according to claim 16, wherein the operational data comprises web session data or server related data.

20.   (Previously Presented)   The storage device according to claim 19, wherein the web session data comprises response time for web based interactions and the server related data comprises server load data.

21.   (Previously Presented)   The storage device according to claim 20, wherein the response times for web based interactions are correlated to application component level objects, application level objects, and business level objects.

22.   (Previously Presented)   The storage device according to claim 13, wherein the step of displaying the stored data associated with both the business level objects and the application level objects comprises filtering and/or aggregating the stored data responsive to a user's query.

23.   (Canceled).

24.   (Previously Presented)   The storage device according to claim 13, wherein the predetermined criteria comprise one of a number of users accessing an object at any level of abstraction, a response time for web based interaction, or a termination of a user session at a particular point in web based interaction, the method further comprising:

displaying, as connected links on a third display screen when one of the connected links on the second display screen is selected by a user, one or more of a lower level of application level objects that are correlated with the one or more of the application level objects displayed on the second display screen.

25. – 31.   (Canceled).

9.   **EVIDENCE APPENDIX**

None

10. RELATED PROCEEDINGS APPENDIX

None